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SOME PAPERS

Given in by the COMMISSIONERS of the PARLIAMENT of *SCOTLAND*,

To the Honourable HOUSES *of the Parliament of ENGLAND:*

In Answer to their VOTES of the 24. *of September*, 1646.

CONCERNING
The disposing of His MAJESTIES
PERSON.

EDINBURGH:
Printed by Evan Tyler, *Printer to the Kings most Excellent Majestie.* 1646.

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20. *Octob.* 1646.

From the Commissioners for the Parliament of *Scotland*.

Right Honourable,

WEe doe herewith present to the Honourable Houses two Papers, in answer to their Votes of the 24. of September, wherein wee have contributed our best endeavours to come to a speedy agreement in the great affaires now in agitation, and to preserve and continue a firme correspondence between the Kingdomes: And we cannot but promise to our selves, that wee shall meet with the same affections in the Honourable Houses; That all differences being determined, and all just desires satisfied, these Kingdomes may still remaine in a sweet concord and brotherly conjunction, then which nothing can be more acceptable to

Your Lordships most humble servants,

Worcester House, the 20th of Octob. 1646.

Loudoun. *Lounderdaill.*
A. Johnston. *Charles Erskine.*
Hugh Kennedy. *Ro. Barclay.*

For the right Honourable the Speaker of the House of Peeres, *pro tempore.*

HAving received the Votes of both Houses, dated the 24. of September, concerning the disposing of the Kings Person as both Houses of Parliament shall think fit; Although we judge (as in charity we ought) that it is not the meaning and intention of the Honourable Houses, to claime or assume to themselves the whole and sole power to dispose of His Majesties Person, which is knowne to be a matter, as of high, so of common and equall concernment to both Kingdomes: Yet, lest by our silence the right and interest of the Kingdome of *Scotland* should be prejudiced; and lest that sense of those Votes, which many have apprehended and expressed, should minister occasion of mis-understanding and difference between the Kingdomes, according to the desires and hopes of our common enemies; We have judged it necessary, with that freedome, candor, and plainnesse which becometh Brethren, to represent our thoughts concerning this great businesse, to both Houses.

We do acknowlegde, that as Positively the Houses of Parliament have as much power in disposing of the Kings Person, as any one Parliament hath or can have, to dispose of a King, who hath more free Kingdomes then one; So Negatively none

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ought or may diſpoſe of His Majeſties Perſon, without, or againſt their conſent. The like, we ſuppoſe, will be mutually acknowledged in reference to the Parliament of *Scotland*, it being a fundamentall Right and Liberty of either Kingdome, That none can juſtly (without their owne conſent) impede or reſtraine the Perſon of their King from coming amongſt them, and doing the duties of a King unto them: And in both theſe ſenſes wee acquieſce in the Vote of the Honourable Houſes.

But if the Vote ſhould be meant or made uſe of as reſtrictive to the Parliament of *England*, and excluſive of the Parliament of *Scotland*; Or, as if the two Houſes were to diſpoſe of the Perſon of the King, by their ſingle and ſole authority, without the conſent and concurrence of the Kingdom of *Scotland*; We truſt this ſenſe is as far from the thoughts of both Houſes, as it is from juſtice & equity: the Parliament of *Scotland* having as much intereſt in the Perſon of the King of *Scotland*, as the Parliament of *England* hath in the Perſon of the King of *England*; and the Perſon being but one, both Kingdomes muſt needs ſhare equally in that joynt intereſt. Neither hath the Parliament of *England* any more power to diſpoſe of the Perſon of this King of *Scotland*, being in *England*, then the Parliament of *Scotland* hath to diſpoſe of the Perſon of this King of *England*, if he were in *Scotland*: And as the Parliament of *England* might juſtly conceive their intereſt and power to be greatly prejudiced, if the Parliament of *Scotland* ſhould claime the ſole power to diſpoſe of His Majeſties Perſon being in *Scotland* (and conſequently, if they ſhall ſo think fit to reſtrain his Perſon from coming to his Houſes of Parliament, when the neceſſary affaires of this Kingdome require his preſence;) So we cannot but in juſtice expect to be dealt with by the Honourable Houſes, as they would have us in like caſes to deale with them.

Although what we have now expreſſed might be ſufficient, as to our ſenſe of the Vote; Yet it ſhall not be ſuperfluous, but very expedient, that we further cleare our ſelves and our reall intentions, in that which we firſt offered in our Paper of the 21. of Auguſt, Concerning a joynt conſultation and reſolution of both Kingdoms, what is next to be done in reference to the King. Which motion we now reſume to be ſtill inſiſted upon: For the Queſtion is not, Whether the Houſes of Parliament, or the Scots Army ſhall diſpoſe of the Perſon of the King in *England*. Our Army claimeth no power to diſpoſe of His Majeſties Perſon. And, as they could not refuſe to receive him, when he came amongſt them; ſo they are ready to obey and ſubmit to the joynt reſolutions of both Kingdoms concerning His Majeſty. Neither is the Queſtion, Which of the two Kingdomes ſhall truſt the other with the preſent reſidence of the Kings Perſon, till he be diſpoſed of by the conſent and agreement of both. Let it be far from both Kingdomes, that the former mutuall confidence, ſhould now turn to a mutuall diffidence: And let not a bleſſing from heaven be expected upon either of the Nations, which continueth not faithfull to the other, according to the Covenant: Our confidence in the Wiſdome, Juſtice, Loyaltie, and Faithfulneſſe of the Honourable Houſes is ſuch, that whenſoever the King ſhall be willing to returne unto them, and they willing to receive him, wee ſhall not make the leaſt impediment, but give our cheerfull conſent. Leaſt of all is the Queſtion concerning any Priviledge or Power of the Parliament of *England*, or any Law, Liberty, or practiſe of this Kingdome, to diſpoſe of their King. It is not our meaning to controvert what in that kind they may doe, or at any time have done according to their Lawes (which are beſt knowne to themſelves) for their

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good and ſafety, without the leaſt ſhadow of any dependency upon another Kingdome. But withall we deſire it may be remembred, that this is to be transferred equally to the power and priviledge of the Parliament of *Scotland*. Wee doe not meddle with any of the ſingle or proper Rights, Priviledges, or Lawes of this Nation, more then wee would have our Brethren to meddle with ours. It is one thing what the Parliament of *England* might have done in another Cauſe or War, before their engagements by the Covenant and Treaties with the Kingdome of *Scotland*: It is another thing what ought to be done after ſuch conditions and ties impoſed by neither Kingdom upon the other, but by both joyntly upon themſelves, and as mutuall Obligations, both to God, and each to other: Although wee might alſo goe further backe then to the Covenant and Treaties, and pleade the common and equall intereſt of the Kingdomes, in their common Head and Soveraigne, ever ſince they were ſo united, as may ſufficiently appeare, even by ſome inſtances in His Majeſties time who now reignes over us. It may be remembred (as to the intereſt of *Scotland*) that when His Majeſty was firſt invited and deſired to come into that Kingdome to be Crowned, It was repreſented by the Lords of His Majeſties Privie Councell in *England*, that the great affaires of this Kingdome could hardly diſpence with His Majeſties going to *Scotland*: And therefore that either he might receive his Crowne of *Scotland* by a Vicegerent there, or that it might be ſent hither unto him. Like as, this preſent Parliament when the King went laſt into *Scotland*, to ſettle the Peace of that Kingdome, did earneſtly deſire and preſſe, that He might not goe, but that he might ſtay here for the urgent affairs of this Kingdome. But both in the one caſe and in the other, the intereſt of the Kingdom of *Scotland* was preſerved: And as it was moſt neceſſary, that His Majeſty ſhould goe into that Kingdome for receiving that Crowne, ſo His Majeſty found it expedient to goe thither for the ſettling of Peace. It may alſo be remembred (as to the intereſt of *England*) that the Engliſh Nobility both at the *Birks Anno* 1639. and at *Yorke* 1640. (whoſe letters to that purpoſe are yet extant and to be ſeen) And this Parliament *Anno* 1641. did claime an intereſt to ſee and know our demands propoſed to the King, that neither His Majeſty nor themſelves might be hereby prejudiced.

But the preſent queſtion needeth not goe ſo farre upon a backe trade: Whatſoever the joynt intereſt of the Kingdomes was formerly, it is without controverſie now much more conjoyned. And unleſſe we lay aſide the Covenant, Treaties, Declaration of both Kingdomes, and three yeares conjunction in this war, neither the one Kingdome nor the other, muſt now looke backe what they might have done ſingly before ſuch a ſtrict Union; but looke forward, what is fitteſt to be done by both joyntly for the common good of both, and for the ends of the Covenant, which both are oblieged joyntly to proſecute and promote. So that the true and proper queſtion in this conjuncture of affaires, is, Whether both Kingdomes have not a joynt and common intereſt in diſpoſing of the King of both, for the good of both, and that His Majeſties Perſon ought not to be diſpoſed of by either Kingdome ſingly. Much might be ſaid for this joynt way, and againſt a divided way, from the nature of all aſſociations, and the common rules of equity obſerved between perſons, ſocieties, or nations, which have a joynt intereſt in the ſame Perſon, Parent, Maſter, Servant, Or in the ſame thing, inheritance, lands, houſe, ſtocke, or the like. In which caſes, one of the parties aſſociated, may not without the conſent of the other, diſpoſe of that which is common, eſpecially if it

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be a common Perſon, and leaſt of all if it be a Perſon of chiefeſt eminency or concernment: For although a common thing may be divided, and to each party his proper ſhare aſſigned, yet one individuall Perſon doth not admit of a partition, and ſo requireth the greater Union and conjunction of Counſels in the diſpoſall of it. And as reaſons may be drawne from the nature of all aſſociations; ſo eſpecially from the nature of ours in the ſolemne League and Covenant; the Title, Narrative, Articles and concluſion of it, doe all along linke together the intereſt of the Kingdomes, in this common cauſe ſo much concerning the glory of God, their owne ſafety, Union and Peace, and the honour and happineſſe of the King and his poſteriey; which ends of the Covenant, both Parliaments aſwell as other Subjects of both Kingdomes, have obliged themſelves joyntly and mutually to promote, according to their power, and to continue zealouſly and conſtantly therein all the dayes of their lives, againſt all oppoſition; and to aſſiſt and defend all thoſe that enter into this League and Covenant in the maintaining and purſuing thereof, and never ſuffer themſelves to be divided directly or indirectly from this bleſſed Union and conjunction. So that the ends of the Covenant (upon which the diſpoſall of the King muſt needs have a ſtrong influence) are not to be proſecuted by the two Kingdomes, as by two diſtinct bodies acting ſingly, but *they were united by ſolemne Covenant made to Almighty God and by League each to other, as one intire body to proſecute this cauſe*: Which was the expreſſion uſed by the honourable Houſes in their Declaration of the 5. of Auguſt, 1645. to the Lords States Generall of the United Provinces of the Low Countreys. In which Declaration this notable inſtance was given, which deſerveth alſo to be remembred, That by the Covenant both Houſes of Parliament and many thouſands of other His Majeſties Subjects of *England* and *Ireland*, ſtand bound aſwell as we, to hinder the ſetting up of the Church government by Biſhops in the Kingdome of *Scotland*; And that wee aſwell as they ſtand bound to endeavour the extirpation thereof in *England* and *Ireland*. And as by the Covenant, the Kingdomes are faſt linked together in the whole proſecution of this cauſe; ſo particularly both are obliged to endeavour mutually to preſerve and defend the Kings Majeſties Perſon and Authority, in the preſervation and defence of the true Religion, and liberties of the Kingdomes, That the world may beare witneſſe with our conſciences of our loyalty, And that we have no thoughts or intentions to diminiſh His juſt power and greatneſſe.

From the Treaty the ſame thing doth further appeare, it being thereby manifeſt, that as our Army was to be leavied for the common good of both Kingdomes in the purſuance of the ends expreſt in the Covenant; and not as Auxiliaries for the ſingle good of this Kingdome; So they are not tyed to be ſubject to the reſolutions, and directions of either Kingdom ſingly, but of both joyntly. Alſo by the 8th. Article, no Ceſſation, Pacification nor Agreement for Peace whatſoever, is to be made by either Kingdome, without the mutuall advice and conſent of both. So that if the diſpoſall of the Kings Perſon mentioned in the vote of both Houſes, be intended for the good, Peace, and ſecurity of both Kingdomes, then it ſhould not be done without the mutuall advice and conſent of both; But, if intended for the Peace and ſecurity of this Kingdome within it ſelfe ſingly, this were to ſettle the Peace of the one Kingdome, not onely without the counſell and conſent, but before the ſettlement of the other, and ſo the more inconſiſtent with the plaine ſcope of that Article. Moreover by the 9th. Article of the ſame Treaty, all matters of difference ariſing between the Subjects of the two Nations, are to be reſolved and determined

determined by the mutuall advice and consent of both, which hath ever beene the usuall way in such cases: Neither know we any other way for healing of differences between two free Nations, which are as Brethren and equalls, and neither of them subordinate to the other. If therefore any difference should arise (which God forbid) between the two Parliaments or any others of the Subjects of the two Nations, concerning the disposing of His Majesties Person, then the question cannot be otherwise resolved and determined, but by the mutuall advice and consent of both. How much better is it (according to the 6th. Article of the Covenant) to consult how to prevent all differences which are like to arise betweene us or our posterities?

The honourable Houses in their wisdome did thinke fit that in the managing of this war, there should be a conjunction of the Councels of both Kingdomes in reference to the English aswell as to the Scottish forces. How much more may wee expect a conjunction of Councells in disposing of His Majesties Person, wherein the one Kingdome is as much interested, as the other?

If more need to be said in this businesse, we hope it is not forgotten, how the Declarations of both Houses and their Commissioners sent into *Scotland*, to desire their assistance and engagement in this War, did invite, sollicite and perswade that Nation upon principles of common interest, And in regard the one Kingdome cannot enjoy a firme and durable peace, while the other is in War: We were also put in minde of the affection and duty which becometh brethren. And as wee did upon these and the like considerations, espouse our brethrens quarrell; So it cannot be offensive that we desire from them an improvement of the very same principles: And that the same measure of the Conjunction of interests be given to us, which was got from us. God forbid, that wayes of separating the interests of the Kingdomes should now be studied, as much as wayes of Uniting them were before endeavoured. We cannot but expect better things from our Brethren, then in their prosperity to desert us, who did engage and joyne with them in their greatest affliction; Or to thinke of securing their owne Peace without us, while the troubles of our Kingdome continue.

Wherefore, wee cannot chuse but obtest by the common good of both Kingdomes; by the conjunction and parity of interests; by the love of Brethren; by Declarations of both Houses; by former presidents; by the Treaty betweene the Kingdomes; by the solemne League and Covenant; yea, by the very law of Nations and rules of common equity, that there may be a conjunction of the Councells and resolutions of both Kingdomes, in disposing of that royall Person who is King of both, and that all lawfull and possible meanes (of which this is one and a chiefe one) may be used, which may preserve His Majesties Person, honour and happinesse according to the Covenant; Monarchicall government according to the fundamentall Lawes of both Kingdomes: Together with a firme and happy Union between the Kingdomes.

These principles we desire still to goe upon, And therefore if the vote of both Houses communicated unto us, be understood as a materiall demand of His Majesties Person to be delivered unto them, to be disposed of as they shall thinke fit? This as it doth not necessarily follow from the words of the vote nor doth agree with that sense of the vote, which in charity we are most willing to entertaine, so there are just and great reasons against it. Wee acknowledge that we are not to presume the worst, but the best concerning the intentions of the honourable Hou-

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ſes towards the King. But wee doe not doubt it will be mutually acknowledged that for preventing of differences afterwards, it is moſt fit and neceſſary, that there be a cleere and diſtinct underſtanding between the two Kingdomes, in a buſineſſe of this nature and conſequence. And that it is not to be expected from private perſons (though under juriſdiction) much leſſe from another Kingdome, that they ſhould paſſe from their intereſt or juſt ſecurity, becauſe they have to doe with ſuch, as they judge to be honeſt and faithfull. To ſpeake therefore to the nature of the thing in it ſelfe, If the Scots Army ſhould deliver up His Majeſties Perſon without his owne conſent, and that upon the vote communicated unto us, which (although it may ſuffer a benigne interpretation and be underſtood of the diſpoſing of the Kings Perſon favourably and honourably, yet) as the words ſtand, is comprehenſive and capacious of more then is fit to be expreſſed: This Act of the Army were not agreeable to their Oath of Allegeance, (obliging them to defend His Majeſties Perſon from all harmes and prejudices) nor to the ſolemne League and Covenant, which was not intended to weaken, but to ſtrengthen our Allegeance, and to wipe off the calumny and aſperſion of Rebellion: For which end, before our engagement in this War, it was mutually covenanted between the Kingdomes, to preſerve the Kings Majeſties Perſon and Authority, in the preſervation of the Religion and Liberties of the Kingdomes; Thereby holding forth to the world, that the preſervation and defence of Religion and Liberties, may well conſiſt and was intended to conſiſt with preſervation of His Majeſties Perſon and Authority, whom therefore our Army cannot deliver, to be diſpoſed of by any others, at pleaſure. This delivery were alſo inconſiſtent with that joynt, equall, and common intereſt of both Kingdomes in the diſpoſall of His Majeſties Perſon, which we have before aſſerted; And, were upon the matter a paſſing from the right and intereſt of the Kingdome of *Scotland* in that buſineſſe. It were alſo contrary to His Majeſties power of reſidence in any of His Kingdomes, and to the free exerciſing of the duties of his place and acts of perſonall government, ſuch as the hearing and redreſſing of the grievances of his Subjects in Parliament, and his concurring to the making of Lawes. Neither could it ſtand with the Commiſſions given to the Committee of Eſtates and generall Officers of our Army, or with their Military Oath, to deliver up their King without his owne conſent, and without warrant from the Parliament of *Scotland*, to be diſpoſed of by another Nation: Even as it were not to be expected, that the Army under the Command of Sir *Thomas Fairfax* if they were in *Scotland* for our aſſiſtance there, in the like cauſe, and under the like ingagements, in a receſſe of the Parliament of *England*, and without their warrant, would upon the like demand deliver up the King (having caſt himſelfe in their hands) to be diſpoſed of by the Parliament of *Scotland*. Finally, if it be contrary to the Law and common practiſe of Nations, to deliver up the meaneſt Subject fled to them, though it be for the greateſt crimes (for which cauſe the Parliament of *England* in the 4. of King *James*, as likewiſe in the large Treaty, refuſed a generall Act of remanding between the two Kingdoms, unleſſe they ſhould be united into one) how much more would the world abroad condemne our Army for a baſe and diſhonourable act, if they ſhould deliver up their Head and Soveraigne (having caſt himſelfe into their hands) to be diſpoſed of at the arbitrement of another Nation?

And now we hope it will not be tedious, that we further enlarge our ſelves, upon this great ſubject, by adding ſatisfactory Anſwers to ſuch Objections, as have beene,

beene, or may bee made against our desires and Principles in this businesse.

Object. 1. *That the Scottish Army is an Auxiliary Army of* England, *and under their pay, and therefore ought to deliver up the King, to be disposed of by both Houses as they shall think fit.*

Answ. It is sufficiently known, that the Scottish Army came not into this Kingdome in the nature of Auxiliaries: For when it was desired by the Parliament of *England* that the Kingdome of *Scotland* should send an Auxiliary Army into this Kingdome, to be subject to the directions and resolutions of both Houses, It was absolutely refused, as may appeare by the severall Papers about that purpose yet extant. The Kingdom of *Scotland* did foresee and consider, how prejudiciall it was to forsake their owne Peace, and what infinite troubles, losses, and unavoidable danger their engagement with the Parliament of *England* against so powerfull and prevailing an Enemy, would bring upon the Kingdom of *Scotland*: And as they regarded not the large offers, nor the threats of the other side for all their prosperity; so there was no offer of pay, or other worldly advantage whatsoever from the Houses of Parliament, which could have induced them to undertake so hazardous and desperate a War. It was the good of Religion, King and Kingdoms, they set before their eyes, in order to which end, they accounted nothing too dear unto them: And having resolved to engage in this Cause for assistance of their Brethren, they did not stand upon conditions, but without respect to the season of the yeere; the great strength of the Enemy, and other discouragements, they did in a short time leavy an Army at their owne charge: And because of the many burdens then lying upon this Kingdom, were content for the present to accept of a summe towards the Monethly entertainment of that Army, amounting to little more then halfe pay, and to supersede all further recompence, till the War should be at an end. And seeing the Kingdom of *Scotland* was to quite their own Peace, and equally with *England* to undergoe the hazard of the War, it was found reasonable, that the prosecution thereof, and the making of the conditions of Peace after the War, should be with joynt advice and consent of both Kingdomes. And according to these grounds, a Covenant was agreed upon for the Reformation of Religion, and for preservation of the Liberties of the Kingdoms, and of the Kings Person and Authority: together with a Treaty, wherein it is declared that the Scottish Army shall be commanded by a Generall appointed by the Estates of *Scotland*, and shall be subject to such resolutions and directions, as are and shall be mutually agreed upon and concluded between the Kingdoms, or their Committees in that behalf appointed for pursuance of the ends of the Covenant: of which, one is to defend and preserve His Majesties Person.

Object. 2. *That the King is in* England, *and therefore to be disposed of by both Houses of Parliament, and cannot be disposed of by the Scottish Army: And though the Kingdome of* Scotland *may pretend to an interest and power in the disposing of the King, yet they can have no exercise of that power in* England: *And albeit the Scottish Army, according to the Treaty between the Kingdomes be onely subject to such resolutions, as are mutually agreed upon by both Kingdomes, or their Committees appointed in that behalfe, yet this is onely to be understood in ordering and regulating of the Scottish Forces for prosecuting the warre, and the Treaty extends no further.*

Answ. Although His Majesties riding one dayes journey, might wholly subvert the grounds of this Objection; Yet we shall not insist upon this answer, because we conceive it toucheth not the true state of the question. It hath beene already

cleered what is not, and what is the ſtate of the queſtion, which being remembred we doe aſſert, that the King coming voluntarily to the Scottiſh Army, they cannot in duty deliver him againſt his will to the Houſes of Parliament without conſent of the Kingdome of *Scotland*: For the being in *England* takes not away the relation between the King and His Subjects of the Kingdom of *Scotland*, nor ought it to impede the performance of the mutuall duties founded upon that relation: For allegeance hath no limitation of place being grounded upon the Law of Nature aſwell as the Law Municipall, and ſo is rather univerſall then locall. The difference of place takes not away the relation and mutuall duties between parents and children, And it is not the place but the relation which gives intereſt to the diſpoſing of the Perſon of the King. As His being in *England* takes not away the relation between Him and His Subjects of *Scotland*, ſo it doth not infringe the mutuall obligations and ſolemne engagements betweene the Kingdomes, for joynt counſells in proſecution of the War and ſettling of the Peace: The Kings coming to the Scottiſh Army, being an emergency of our joynt war, and the right diſpoſall of His Perſon, the onely meane (for the preſent) of our joynt ſecurity and peace. Neither can the Kings being in *England*, prejudge any right or priviledge of either Kingdome. It is the fundamentall right and priviledge of the Parliament of *Scotland*, and the liberty of that Kingdom (as we acknowledge it to be the right and priviledge of the Kingdom of *England*) that the perſon of their King ought not to be diſpoſed of, but with their advice and conſent. The place of the Kings reſidence (as was anſwered to us, when in the large Treaty it was deſired His Majeſty might ſometimes reſide in *Scotland*) is at His owne election, in either of the Kingdoms as the exigence of affaires ſhall require and he ſhall thinke fit, Or elſe muſt be determined by the mutuall advice and conſent of both Kingdomes. From all which grounds it is apparent, that the Kingdom where he reſides for the time, may do no Act which may hinder His Majeſty to performe the office and duty of a King, to the Kingdom, from which he is abſent in Perſon, Nor impede him to repair to that Kingdome, when the affaires thereof ſhall neceſſarily require it. Otherwiſe, if the Kingdome where His Majeſty reſides hath the ſole intereſt and right to diſpoſe of His Perſon, the Eſtates of the Parliament of *Scotland* might upon former occaſions, and may now, in caſe the King and Prince ſhall repaire to *Scotland*, lawfully detain them there, and make it the place of the ordinary reſidence of them and their poſterity, without the conſent of the Kingdome of *England*: Which wee acknowledge could not be done without a manifeſt prejudice and injury to this Kingdom. Wherefore we cannot but conclude that whereſoever the King be, in *Scotland* or *England*, he being the King of both, ought to be diſpoſed of for the good and with the conſent of both Kingdomes. And if it be conſidered that the Scottiſh Army was invited and called into this Kingdom by both Houſes in a Treaty for proſecuting the ends of a ſolemn League and Covenant, whereof one is to preſerve and defend His Majeſties Perſon, there can remaine no doubt concerning the exerciſe of that right and intereſt in this Kingdome: And therefore it ſeemes very ſtrange, that when upon invitation they are come into *England*, as for other ends, ſo to defend His Majeſties Perſon, their being in *England* ſhould be made uſe of, as an argument why they ſhould deliver up the Perſon of their King to be diſpoſed of, as both Houſes ſhall thinke fit. Whereas it is alledged, that the Treaty extends no further then to the ordering and regulating of the Scottiſh Forces in relation to the War: Although this be really anſwered from the nature of the thing, the Kings coming to the Scottiſh

tiſh Army being an emergency of the War, and ſo the delivering of His Perſon comes under the regulation and direction of both Kingdoms or their Committees, as an Act of the Scottiſh Army; Yet that all doubt may be removed, wee further adde, that it is cleere from the third Article of the Treaty, that the Scottiſh Army is to receive the Directions of both Kingdoms or of their Committees, in all things which may concerne the purſuance of the ends of the Covenant and Treaty, whether in relation to Peace or War. In the eighth Article of the Treaty, no Ceſſation, Pacification, or agreement for Peace whatſoever, is to be made by either Kingdome, or the Army of either Kingdome, without the advice and conſent of both Kingdoms. And in the ninth Article, all differences ariſing between the Subjects of the two Nations are to be reſolved and determined by the mutuall advice and conſent of both Kingdoms.

Object. 3. *That the Scottiſh Army did carry away the King from the Leaguer before Newark, when there was a Committee of both Houſes there, without ſeeking their conſent; and that they have ſince diſpoſed of him without conſent of the Houſes of Parliament, whereas by the Treaty they ought to doe nothing without a joynt reſolution of both Kingdomes, or their Committees.*

Anſw. No ſooner did the King come into the Scottiſh Army, but the very ſame day the Committee of Eſtates for *Scotland*, reſiding with that Army, did acquaint the Commiſſioners of both Houſes therewith: And not ſatisfying themſelves with this, the day following they wrote a Letter to the Committee of *Scotland*, reſiding at *Edinburgh*, and another to the Committee of both Kingdomes here (which was communicated to both Houſes) deſiring the advice of this Kingdome, as in a matter of common intereſt, and declaring they would obey the joynt reſolutions of both Kingdomes: Yet no anſwer or advice was returned unto them, either from the Houſes or their Commiſſioners. But immediatly after the ſurrender of *Newark*, they received information that five thouſand Horſe and Dragoons from Sir *Thomas Fairfax* his Army were upon their march towards them Northward (which the honourable Houſes of Peers was pleaſed to give order to ſtop) there being no Enemy in thoſe parts to be oppoſed: Upon conſideration whereof, the Quarters wherein they had ſtayed during the ſiege of *Newark*, being extremely exhauſted, and the Service for which they came thither being performed, for preventing miſtakes or new troubles between the Kingdomes, They removed into York-ſhire; and the King, as he came unto them of his owne accord, did voluntarily march along with them. Upon ſeverall occaſions afterwards, they and wee did earneſtly deſire the honourable Houſes to ſend a Committee, to joyne and co-operate with the Committee of Eſtates there upon the place, in all things according to the Treaty: But no anſwer was returned. And from time to time the Houſes were acquainted with the proceedings in that Army; which were, according to the Covenant, and the known reſolutions of both Kingdomes, to debarre all ſuch of both or either Kingdomes as had been in Armes againſt the Parliament, from coming into their Quarters, or to the Court, or to the Kings Perſon, according to the deſire of the Houſe of Peers. And whereas it is affirmed, That by the Treaty the Scottiſh Army ought to doe nothing without a joynt reſolution of both Kingdomes, or their Committees, there is no ſuch clauſe in the Treaty, but they are to be ſubject to ſuch reſolutions as are and ſhall be agreed upon, and concluded mutually between the Kingdomes or their Committees, as by Ordinance of Parliament, the Army under the command of the Earle of *Eſſex*, or of

Sir *Thomas Fairfax*, was to receive and observe the Directions of the Committee of both Kingdomes sitting at *Westminster*; But in case no new Directions were sent unto them, they were left to former Orders (if any were) or otherwise to their owne judgement and discretion. There was never any such resolution agreed upon between the Kingdomes or their Committees, as that the Scottish Army should not receive the King, if he came unto them, but it is an agreement between the Kingdomes (in the Covenant) that they should preserve and defend His Majesties Person, and (in the Declarations of both Kingdomes) to rescue him from the common Enemy: So that the Scottish Army having often desired to know the direction and advice of the Houses of Parliament, concerning the King, and no new Directions being signified unto them; According to the Treaty they were to observe the Directions and Resolutions formerly agreed upon between the Kingdomes. And as the Scottish Army do and will ever acknowledge that they claim no power to dispose of the Kings Person, but are subject to, and shall be ready to follow whatsoever both Kingdoms shall agree upon, as best for the King and Kingdomes: so their keeping and preserving His Majesties Person (as they would do to any person of his eminencie and relation in an Army or Garrison Towne) without the least thought of hindering his voluntary return to his Parliament, cannot be reputed or called a disposing of his Person.

Object. 4. *If any Peere of* England *goe to the Scot ish Army, and desire their Protection, can he not be disposed of without the consent of the Committee of Estates of the Kingdome of* Scotland, *residing with that Army?*

Answ. There is a wide and manifest difference betwixt the relation the Scottish Army hath to any Subject of *England*, and the relation they have to their King: which are sufficiently distinguished in the third and fourth Articles of the Covenant: for by the one they are mutually obliged to preserve and defend His Majesties Person, and by the other they are obliged to endeavour, that all Incendiaries and Dividers betwixt the King and his people, or betwixt the Kingdomes, be brought to tryall and condigne punishment before the supreme Judicatories of the Kingdomes respectively: And the Kingdome of *Scotland* hath equall right and interest with the Kingdome of *England* in the disposall of the Person of the King, which they cannot pretend unto concerning the person of any Subject of *England*.

Object. 5. *That seeing it is alledged by us, that the disposing of the Kings Person comes in place of a Peace, then the receiving of the King into the Scottish Army, without consent of the Houses, is equivalent to the making of a Peace, without consent of the Kingdome of* England, *contrary to the eighth Article of the Treaty.*

Answ. It hath been sufficiently answered before, that the Scottish Army neither hath, nor will take upon them to dispose of the King. Hee came unto them without Capitulation or Treaty, his residence with them is voluntary and free, and they do nothing which may hinder him to come to his Houses of Parliament. But if the Kingdome of *Scotland* should consent to the desire of the Houses, that they may have the sole disposall of the Person of the King, it being that which comes in the place of the Peace and Security of both Kingdomes, they will really quite the right and interest they have by the eighth Article of the Treaty, concerning the making of a Peace; for which soever of the Kingdomes is acknowledged to have the sole disposall of the King, may without the other make Peace with Him, when, how, and in what termes they please.

Object. 6.

Object. 6. *That* England *is a free Nation, and in former times it was in the power of the Parliament of* England *to dispose of their Kings; And if one Kingdome pretend to a joynt right of disposing of the King, while he is in the other, it is to entrench upon the former liberty of that Kingdome. That the Kingdome of* Scotland *have no reason to distrust the Houses of Parliament, who when the King shall be in their power, will not dispose of him otherwise then may consist with their duty, according to the Covenant and Treaty betwein the Kingdomes.*

Answ. We will not dispute what power the Houses of Parliament formerly had to dispose of the Person of their King; but whatsoever power or right they have, the like is due to the Parliament of *Scotland*; And so the Person of the King being common to both, and indivisible, cannot be disposed of, but by consent of both Kingdomes. It were another question indeed, if it were as in former times, if we had different Kings, if there were not an Union of the Kingdoms under one Head and Monarch, if there were neither Covenant nor Treaty between the Kingdoms: But since all these are, and that the Peace and Security of both Kingdomes is so much conterned in the disposall of the King; not any one of them without the other, can justly pretend to the sole judgement and right, to determine what is best and most expedient for the Safety and Security of both. Nor can it in reason be made an Argument, that the one Kingdom distrusts the other, because the one will not renounce and resigne all right and interest they have in the Person of the King, and matter of their owne security and peace, to the judgement and determination of the other; otherwise, according to this Argument, where there is any trust, there should be no contract between person and person, nor Treaty between Nations: Or, if there be any Treaty or Agreement, the performance or not performance of it, is to be left to arbitrement. But we cannot see that this doth argue any diffidence or distrust more then when private persons lending mony to the Publike, desire security, and will not depend upon pleasure. And therefore, though it is not to be questioned, but the Houses of Parliament would dispose of the Person of the King so as might consist with their duty, in performing the Covenant and Treaty; yet this can be no Argument why the Scottish Army should neglect their duty, or the Kingdome of *Scotland* quite the interest and right they have in the Person of the King.

Object 7. *That the King is in the possession of the Scottish Army, and though a joynt advice and consent of both Kingdomes be urged for his disposall; yet, if the Houses of Parliament agree not to what* Scotland *shall desire, the King doth still remaine in the power of the Scottish Army, and so the Parliament of* England *hath no consent.*

Answ. If this Argument were turned over, the strength or weaknesse of it may the more easily appeare: Suppose the King were here at *Westminster*, it may be upon the same grounds urged, that the Kingdome of *Scotland* would have no consent in his disposall; And so much the more that the Houses claim the sole interest and judgement to dispose upon the Kings Person, which we desire may be done joyntly, as may be best for the Security and Safety of both Kingdomes. And we see no reason, why it may not now be determined when he is in the Scottish Army (who are intrusted by both, and subject to the resolution of both Kingdomes) as well as hereafter, since he came thither of his own accord, and his residence there is voluntary. And if His Majesty shall think fit to repaire hither to his Houses of Parliament, they shall do no act which may either hinder or disswade him, but cannot constrain him, or deliver him to the Houses to be disposed of as they shall think fit.

It may now abundantly appear from the grounds and conſiderations before expreſſed, that the Scottiſh Army may not deliver up His Majeſties Perſon, to be diſpoſed of by the one Kingdome, without the conſent of the other: Upon ſuppoſition whereof, we ſhall in the next place (without preſuming to preſcribe waies, or impoſe conditions) expreſſe our ſelves concerning ſome expedients, which in reference to His Majeſtie, deſerve to be looked upon, conſidered of, and compared together; where we ſhall only premiſe this much, That what ever way ſhall be taken, if the right end be looked at, His Majeſties Perſon ought to be ſo diſpoſed of, as may ſerve moſt for the ſafety and happineſſe of the King himſelf, and for the common peace and ſecurity of the Kingdoms, united in this Cauſe by the ſolemne League and Covenant; and as may beſt agree with their Duty, Covenant, and Treaties.

Theſe ends being before our eyes, although it be moſt eligible and beſt of all, that His Majeſty ſhould without further delay, forthwith give ſatisfaction in the Propoſitions of Peace (which hath been with all inſtancie preſſed, not only by us, but by all the Judicatories of the Kingdome of *Scotland*) and ſo returne fully reconciled to His Houſes of Parliament: Yet ſince (to our unſpeakable griefe) this hath not been as yet obtained; We do propoſe that His Majeſties coming to *London*, or to ſome of his houſes neer *London*, with ſafety, freedome, and honour (which is deſired by Himſelfe, that he may be heard; And that upon the clearing of his doubts, he may knowingly give a ſatisfactory anſwer to the Propoſitions) is much better then the other waies which may be expected in caſe this His Majeſties deſire be not agreed unto. As for His Majeſties going to *Ireland*, or other-where beyond Sea, it could not be the way to a preſent Peace now ſo much deſired; but would certainly prognoſticate new troubles. Laſtly, His Majeſties coming hither, or neer this place, is a more probable and hopefull way to preſerve the Union of the Kingdomes, becauſe the Enemy being ſtill in Armes in *Scotland*, and expecting ſupplies from *Ireland*, and the Kingdome diſabled by their great ſufferings to entertain an Army for ſuppreſſing the Malignant party, It were much more eaſie to raiſe new Forces there to the diſturbance of the peace of this Kingdome, then it could be here, where (by the bleſſing of God) all the Forces and Garriſons of the Enemy are ſubdued, and where it will not be ſo difficult to hinder Delinquents from acceſſe to His Majeſty. The dangers and inconveniencies of any of theſe other waies, do ſo much preponderate, and the preſent condition of affaires doth ſo much differ from that time, when both Houſes with our concurrence did diſagree from His Majeſties deſire of coming to *London* (at which time he had both Garriſons and field Forces unreduced) that it may be conceived not only ſafe, but (as things ſtand) moſt convenient, to agree to His Majeſties coming to *London*, or neer it, upon ſuch conditions and aſſurances from him, as ſhall be by joynt reſolution found neceſſary for preventing the acceſſe of Delinquents to His Majeſty, or any inteſtine Commotion, or forain Invaſion, to the diſturbance of the peace of either Kingdome. We truſt it might accelerate a happy peace, bring the preſent differences to an end, and be no griefe of heart afterwards, if upon ſuch termes and conditions, both Houſes ſhould be pleaſed to revive and renew ſuch an invitation and aſſurance upon their part, as was contained in their anſwer to His Majeſties Meſſage of the 11. of September, 1642. where, after mention made of their chief grievance, it was added: *All this notwithſtanding, as we never gave your Majeſty any juſt cauſe of withdrawing your Selfe from your great Councell, ſo it hath ever been and ſhall e-*

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sir be far from us to give any impediment to your returne, or to neglect any proper meanes of curing the distempers of the Kingdome, and closing the dangerous breaches betwixt your Majestie and your Parliament, according to the great trust which lies upon us. And if your Majestie shall now be pleased to come back to your Parliament without your Forces, we shall be ready to secure your Royall Person, Crowne and Dignity with our lives and fortunes; Your Majesties presence in this great Councell, being the only meanes of any Treaty betwixt your Majestie and them with hope of successe. Divers such passages there are in the Declarations of both Houses, which we shall not need to mention.

But if the Houses of Parliament shall not agree to His Majesties desire of coming hither with safety, freedome, and honour; We offer to be considered in the next place, whether it be not expedient, that once againe Commissioners be sent to His Majestie in name of both Kingdomes, with power to heare his desires, and to endeavour the satisfaction of doubts and scruples; with intimation also, That if his Majestie shall not give satisfaction in the Propositions, both Kingdoms will without any more such applications, consult and joyntly resolve upon other waies of their safety and security. And upon the other part, that if his Majestie will be now at last graciously pleased, to satisfie the desires of both Kingdomes, his Majesties Throne, with his just power and greatnesse, shall be established, as well as the peace and security of his Subjects.

All which we do propound in a brotherly freedome, not being peremptorily wedded or addicted to any expedient that we have offered; but, if the Honourable Houses in their wisdome shall be pleased to think of any other expedient, which shall be for the good, safety, and honour of the King and Kingdomes, We shall be most willing and ready to agree unto it, when it shall be made knowne unto us, not doubting, but that in the faithfull and conscionable use of all good and possible means, which may prevent differences between the Kingdomes, there will be at last a sweet and brotherly agreement in such a conclusion, as shall be good in Gods eyes, and wherein both Kingdomes shall find greatest comfort and happinesse.

By command of the Commissioners for the Parliament of Scotland.

Jo. Chieslie.

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20. Octob. 1646. *From the Commissioners for the Parliament of* Scotland.

HAving received the Votes of both Houses of the 24. of September, declaring, that whatsoever conference, consultation, or debate shall be with the Commissioners of *Scotland*, concerning the disposall of the Person of the King, it shall not be understood to be any capitulation, in relation to the retarding of the march of the Scottish Army out of this Kingdome, or of any Treaty between the Kingdoms concerning the same. And being desired to give an answer hereunto, before we entred upon the conference; As we did then, so we do now againe declare, That our conference, consultation or debate with the honourable Houses, concerning the disposall of the Person of the King, shall not retard nor be any hinderance to the march of the Scottish Army out of this Kingdome, or to any Treaty concerning the same. And that it may be manifest how sensible we are of the unnecessary burthens continued in this Kingdome, by keeping Armies on foot after the War is at end; And, that it may fully and clearly appeare, how really it is desired by the

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Scottish Army, that without delay they may march out of this Kingdome, with the same affection and cheerfulnesse that they came in for the assistance of their Brethren: And to the end all jealousies, mistakes, or mis-understandings of our intentions may be removed, we doe further declare, That we are willing and ready to meet with such as the honourable Houses shall appoint, and within 24. houres to agree concerning the time and place of the payment of the first 200000. pounds, and the security to be given for the other; And to appoint a day wherein our Forces shall march out of the Town and Castle of New-castle, out of Tinmouth Castle, Hartlepoole, Stockton, Thirlwall, and all other places within this Kingdome (Berwick and Carlile being disposed of, according to the respective Treaties between the Kingdomes) and likewise for marching of our Army out of this Kingdome: Which, in regard the Winter doth fast approach, and for other important reasons, we earnestly desire may be with all possible expedition; And for this end, that the money may be speedily sent unto them, for the sooner they shall receive it, the more acceptable it will be, and give the greater satisfaction, and the impoverished and exhausted Countrey will be the sooner eased. And since the cause of their stay and continuance in this Kingdome, is not upon their part, and that for these six moneths past they have received no pay, whereby they are exceedingly straitned in their quarters, and the Northerne parts where they remaine, greatly overburthened: We doe earnestly intreat, that in the meane time (with the 5000. l. at *Nottingham* already accounted unto them) some competent proportion of money may be sent unto the Army for their necessary entertainment; Or otherwise, they will be forced to enlarge their quarters for the ease of the Countrey. In all which we are the more desirous to come to a close, that within few daies some of our number may repaire to the Scottish Army, and from thence to the Parliament of *Scotland*, (which is to sit the second of *November* next) to give an account of our proceedings. And therefore we doe earnestly intreat the speedy Answer of the honourable Houses.

20. Octob. 1646.

By Command of the Commissioners for the Parliament of Scotland.

Jo. Chiſlie.

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24. Octob. 1646. *From the Commissioners of the Parliament of* Scotland.

Right Honourable,

IT is very well knowne to the honourable Houses, that the Scottish Army receiving no pay for these six moneths past, have been forced to take free quarter from the Country people; whereby the Northern Counties have been extreamly exhausted and impoverished, and the necessities of that Army in a great measure unsupplied. We had rested satisfied that these things had been already represented to both Houses of Parliament, and that the inconveniences which might follow thereupon, were sufficiently understood; But being advertised by severall Letters of the growing necessities of the Army, and the insupportable burthen of those parts where they do quarter: For our further exoneration and preventing the great dangers that may ensue; We have judged it necessary to acquaint the honourable Houses, that it is rumored abroad in the Northerne parts, that the Countrey people have a designe, to surprise and injure our Forces, as they lie dispersed in their severall quar-

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ters. It were a matter of no great difficulty for the Scottish Army, in a forcible manner to prevent or suppresse any such insurrection; But they have resolved to preferre the publike good, and a happy correspondence between the Kingdoms, to their owne safety: In pursuance whereof, they have written Letters to the Committee of *Yorkeshire* and other Counties, earnestly desiring their concurrence to prevent such inconveniences, as may endanger the Peace and Union betwixt the Kingdomes; And have given direction to the generall Officers of the Army, to conferre with the Gentlemen of the Countrey, and to use their utmost endeavours, to remove all Jealousies and Mistakes; And particularly, to acquaint them how earnestly desirous they are, and have been for above these two moneths past, to remove out of this Kingdome, and returne to their native Countrey. Upon which considerations, it is our renewed earnest request to the honourable Houses, that the first 100000. l. may be speedily raised and sent to the Army, and the security for the other agreed upon, that they may forthwith march out of this Kingdome; Otherwise, that in the meane time, some course may be taken for supplying that Army, and easing of the Countrey untill the money be raised, whereby the great danger that is like to arise, to the disturbance of the Peace betwixt the kingdoms, may be prevented. For if the Scottish Army shall be forced to enlarge their quarters Southward; and in the mean time Sir *Thomas Fairfax's* Army (as we are informed) do enlarge their quarters Northward, into those harrased & exhausted Counties; it is easie to foresee, that these kingdomes may unhappily be againe embroyled into new and greater troubles, then they have yet seene. And what great advantage will be given to Forain Nations, to make use of our divided interests, to the ruine of both? All which out of the conscience of our duty, and sincere affection to the peace and happinesse of these kingdomes, we have thought our selves bound thereunto to make knowne: And against all jealousies and misapprehensions, to give perfect and full assurance, that whatsoever reports or suggestions there may be to the contrary, no perswasion, terror, plot, nor combination, shall ever be able, directly or indirectly, to divide or withdraw the kingdome of *Scotland* from a firm conjunction with this kingdome; But as they have done hitherto, so for the future shall continue in pursuance of the ends of our solemne League and Covenant, against all opposition whether forraine or intestine, and to promote and settle the peace of both kingdomes: Being very confident, that the honourable Houses in their wisdome will seriously apply themselves to the effectuall meanes, for preventing the dangers and evills represented; for hastening the returne of our Army; and satisfying all our just desires, for setling the Peace of these Kingdomes, which, with constant zeale and fervent affection, shall ever be faithfully endevoured by

Worcester-House the 14. Octob. 1646.

Your Lordships most humble Servants,

Lowdoun. Lauderdaill.
A. Johnston. Charles Erskine.
Hugh Kennedy.
Ro. Barclay.

For the right honourable the Speaker of the House of Peers, pro tempore.

29. October, 1646.

From the Commissioners for the Parliament of Scotland.

Right Honourable,

UPon the eleventh of August, we did Declare how desirous the kingdome of *Scotland* was of the easing of the burthens and pressures of this Nation, and their willingnesse forthwith to surrender the Garisons, and recall their Army out of this kingdome, reasonable satisfaction being given for their paines and charges. And after the honourable Houses had resolved upon the wayes and means for their satisfaction, we were pressed by them to come to a speedy agreement concerning the particular time of the removall of our Army out of this kingdome; which was insisted upon with so much earnestnesse, as at the Conference in September last, it was required, That we should declare, that our consultation about the disposing of the King, should be no hinderance to the marching of our Army out of this kingdome, or to any Treaty concerning the same: To which, we did not onely willingly assent, but have since declared, That wee were ready within foure and twenty houres to agree concerning the time and place of the payment of the first 200000 *l.* and the security to be given for the other; and to appoint a day for the delivery of the Garisons, and marching of our Army out of this kingdom. For above these six moneths past, no money hath been sent to our Army, nor hath any course been taken for their maintenance during that time, but they have been forced to quarter upon the Northerne Counties, of whose sufferings we have been so sensible, that there was no mean could occurre to us, which might afford them reliefe, but we have from time to time represented the same to the honourable Houses: And we may from certaine knowledge and with confidence say, that for above these two moneths past, the Northerne Counties have been no more desirous to be eased of their pressures, then the Scottish Army hath beene to remove out of this kingdome, and returne to their native Country. All which notwithstanding, we doe perceive that our malicious enemies will never give over to calumniate even our best actions and most faithfull endeavours, and for their owne base ends, to foment and encrease jealousies and differences between the kingdomes, as may appear by a printed Declaration here inclosed, which we find to be so full of wicked spight, bitter invectives, & detestable lies against the Scottish Army, and so directly aiming to stir up a dis-affection in the people against that Nation and Army; as we could not but present it to the view of the honourable Houses, earnestly desiring them seriously to consider, how they would construct of it, if Diurnals and Pamphlets of this kind, were daily licensed in the kingdome of *Scotland*, to be printed against the English Nation or Army, and no course taken for their vindication, but rather all Papers which may cleere their proceedings, denied to be licensed or stopped and suppressed. We did long since in our Paper of the eleventh of August, expresse our confidence, that the honourable Houses in their wisdome and justice would take some course to prevent such vile abuses for the future; and have ever since been expecting to heare of their resolutions for a speedy redresse. But having perceived, that the patience of the Houses hath animated the Authors of such Pamphlets,

phlets, to returne to their former boldneſſe; we are neceſſitated to renew our former deſires, being ſtill confident, that if the honourable Houſes could ſpare but a little time from their greater affaires, upon the peruſall and conſideration of a few of the Diurnals and Pamphlets that are almoſt daily publiſhed to the world, their wiſdome and affection would never beare with ſo many baſe calumnies and reproachfull aſperſions, as are therein caſt upon their Brethren of *Scotland*, with whom they are tyed by ſo many bonds and mutuall obligations. Wee ſhall not further inſiſt upon this buſineſſe, expecting upon what is already repreſented to receive ſpeedy ſatisfaction; not doubting alſo, but that the honourable Houſes will in their wiſdome and civility, give order that the Speeches of the Lord Chancellour of *Scotland* lately ſeized on at the Preſſe, (and which were by him diſcharged to be publiſhed till the conference was reported to the Houſes) ſhall be returned unto us. And to the end a happy correſpondence with love and amity may be inviolably preſerved between the kingdomes, we doe againe earneſtly deſire, That all inconveniences by approaching of Armies, may be prevented; that ſome courſe be taken for the preſent maintenance of the Scottiſh Army, and eaſe of the Northerne parts; Or, which we much rather deſire, that the 200000. l. may be forthwith provided and ſent to that Army; and without further delay, that a day may be agreed on for the delivery of the Gariſons, and marching of our Army out of this kingdome, that after all theſe troubles and heavy preſſures of both kingdomes, they may at laſt enjoy the fruits of their labours, A happy Peace; which is the earneſt deſire of

Worceſter Houſe the 29. *of* October, 1646.

Your Lordſhips moſt humble Servants,

Lowdoun. Lauderdaill.
Charles Erskine.
Hugh Kennedy.
Ro. Barclay.

For the right Honourable the Speaker of the Houſe of Peers, pro tempore.

11.

SEVERALL SPEECHES,

Spoken by the Right HONOURABLE

The Earle of LOUDOUN,

Lord high Chancellor of the Kingdome of SCOTLAND:

AT

A Conference with a Committee of the Honourable Houſes in the Painted Chamber, October 1646.

Proverbs 25.11.

A word fitly ſpoken, is like apples of gold in pictures of ſilver.

EDINBURGH:

Printed by Evan Tyler, *Printer to the Kings moſt Excellent Majeſtie.* 1646.

Good Reader,

I Understand, that the right Honourable the Lord Chancellour of *Scotland* had not right done him by the printed Copie of his Speech to the Kings Majestie at *New-castle*, concerning the Propositions of Peace, there being in that Copie Errours and Omissions, and both materiall, which hath moved me to resolve, as to print the former according to the true Copie, so for preventing the like mistakes and mis-representations, first to procure to my selfe, and now to communicate to the publike view, the true transcripts of these last three Speeches: In which thou shalt find the merit of an excellent Subject to speak for it selfe, for thou hast here a most solid, judicious, candide, and plain debate, concerning the best and most hopefull meanes of attaining a speedy and happy Peace, which may put a period to the lasting miseries of these three Kingdoms: Reade and consider, and beware thou doe not receive with the left hand what is reached forth with the right: This noble Lord hath dealt freely and faithfully both with King and Parliament; and, as truth and plain dealing did appeare in his Speeches, so what he spake is here faithfully imparted; and thou maist be confident, that in this it holds true, Τὰ ἐν τῇ φωνῇ ἴσα ἐστὶ καὶ ἐν τῇ ψυχῇ παθήματον σύμβολα, καὶ τὰ γραφόμενα ἐν τῇ φωνῇ.

Thine to serve thee for the Publike good,

G.A.

The Lord Chancellour of *Scotland* his first Speech: At a Conference in the Painted Chamber with a Committee of both Houses, Octob. 1. 1646.

My Lords and Gentlemen,

THe end of this Conference is to advise what is fit to be done for the Peace and Security of the Kingdomes in relation to the King, and how to dispose of his Majesties Person, which is a matter very tickliſh, and of most high concernment; and they who would build very high, must dig very low for a firm foundation: And therefore I shall make bold to desire, That what ever we resolve upon concerning the Kings Majesty, it may be done by joynt advice and consent of both Kingdomes, and that the Unity between the Kingdomes may be inviolably preserved, as that wherein (next to Gods protection) the chiefe strength of both lies, which would be laid as a ground of our future debates. And because the purpose we are to speak of is very grave and serious, I shall speak of it with that sincerity, as I wish my words were written with the beams of the Sun, and registred to posterity, that all the world might see the candor and integrity of our proceedings towards the King and our Brethren of *England*. And (as I had occasion once to express in this place) so do I now say, That no man hath conscience nor honour who will not remember our solemn League and Covenant, as the strongest bond under heaven between God and man, between man and man, and between Nation and Nation, in which our Unity is founded upon Verity in a threefold relation; to God, to the King, and amongst our selves. The first is the greatest, and ascends as high as heaven: for *Religion*, which hath its name *à religando*, unites us to God himself: and so long as he is in League with us, we need not feare who be against us. Let us therefore hold fast our Unity in Religion, and beware of Toleration of all Religions, which is the ready way to have none; for there is nothing more divine in God then Unitie, and nothing more diabolicall in the Devill then Division, who therefore is known to the vulgar by his cloven foot to be the spirit of Division.

The next ground and relation of our Unity, is with the King, to whom we are bound (in the strictest bonds of loyall Subjection) by our Allegeance and Covenant, as to one Head and Monarch: and therefore the faithfull endeavours of both Kingdoms should (without wearying) be constantly contributed, That we may be united to him by a happy and just Peace: For if one of the Kingdomes shall cast off the King, and the other have a King; if the one shall make Peace with the King, and the other not make Peace, but be still at variance with him, it is to be feared, that no humane wit nor policie will be able to keep the two Kingdoms long without a rupture: And if it please God so to incline the Kings heart, and direct the wisdome of the Parliaments, as that the King and we could make a happy agreement, no power nor policie can be able to divide us; for, *Qui conveniunt uni tertio, conveniunt inter se.*

The third ground and relation of our Unity, is the conjunction of the two Kingdomes, which hath been acknowledged to be so necessary and usefull to both,

That

That they have often declared, they would stand and fall, and (like Hippocrates twins) live and die together. And therefore, as we regard our solemn Covenant with God Almighty, and tender the standing and safety of the Kingdomes, let us (with one heart and mind) joyn our counsels and actions, That whatsoever we resolve upon for our common Peace and Security in relation to the King, and of each Kingdome to other, that it be done in zeale to Religion, in loyalty to the King, and with unanimity amongst our selves. And, as the Pythagoreans did note the number of Two with the mark of infamy, as being the first number that durst part from Unity; so, which soever of the Kingdomes shall first violate the Unity which is bound up in our Covenant, may apply it to themselves: But if we shall adhere to that Unity which is builded upon the firm foundation of Verity, in our relations to Religion, the King, and amongst our selves, it will be a three-fold cord which is not easily broken; and our Unity, I hope, shall be turned into an Identity, both Kingdomes may be perfectly one.

Numerus Binarius infamis est, quia primus ausus est discedere ab unitate.

Having thus in the first place laid a ground for Unity of Counsels and Resolutions, I shall in the next place humbly desire and protest, That whatever may be our Propositions or Debates concerning the King, it be not mis-construed, as if one of the Kingdomes were imposing conditions upon the other, or that we are absolutely wedded to any one desire more then to another; but that (all severall waies being amicably debated and rightly pondered,) That which may serve most for the safety, security and happinesse of the King and both Kingdomes, may be gravely resolved upon. And now I come to the Question it selfe, concerning the disposing of His Majesties Person; first Negatively, and then Positively. Negatively, the Question is not of the power and authority of the Houses of Parliament in disposing of any person, or judging of any case which is of single concernment to *England*: Nor is the Question how the Kings Person may be disposed of *de facto* by any one of the Kingdomes; neither is the Question properly *de jure & posse*, but *de esse, & bene esse*: And, as it is neither good Logick nor good Divinity to argue *a posse ad esse*; so sure I am, in this case it is far worse policie for either Kingdome to dispute what they may do in the height of their power, when both are consulting what is fittest to be done for the Peace and Security of both. And the relation of both Kingdomes to his Majesty, and of each Kingdome to other being rightly considered, as he is King to both, as both are Subjects to him, as both are ingaged in the same Cause, and have been in the same War, and are labouring under the same Danger, are seeking the same Remedies, and should have the same Security; We do hold, that the disposing of the Kings Person doth not properly belong to any one of the Kingdomes, but joyntly to both. And after *Scotland* hath suffered the heat of the day and winters cold, have forsaken their owne peace for love of their Brethren, have set their own house on fire to quench theirs: After so much expense of their blood in all the three Kingdomes, after we have gone along with you in all the hardship of this War, and (without vanity be it spoken) have been so usefull in this Cause: And that the King hath cast himself into the hands of the Scottish Army, and that by the blessing of God upon the joyne endeavours of both Kingdoms we are come to the harbour of a peace; We cannot expect, that the honourable Houses wil think it agreeable with conscience or honour, or with the justice of the Houses, that the Person of the King should be disposed of by them as they shall think fit, or by any one of the Kingdoms alone; but that what ever shall be resolved in this may be done by joynt advice of both, as may serve most for the peace, security, and happinesse of both Kingdoms.

The

The Lord Chancellour of Scotland *his ſecond Speech: At a Conference in the Painted Chamber, with a Committee of both Houſes,* October. 6. 1646.

AT our laſt meeting in this Conference, your Lordſhips did aſſert the Vote of the Houſes, That the Perſon of the King ſhould be diſpoſed on as the two Houſes ſhall think fit; And we did hold, that the King, who is the Head and Monarch of both Kingdoms, ought not to be diſpoſed of by any one of the Kingdoms, but by joynt advice of both, as might ſerve moſt for the peace, happineſſe, and ſecurity of his Majeſty and both Kingdoms, which we fortified with ſeverall arguments from the intereſts and relations which both Kingdoms have equally to the King, and from the Covenant and Treaty between the Kingdoms, as the beſt way to preſerve our Unity. But ſince your Lordſhips doe adhere to the Vote of the Houſes, as that which you cannot part from, We do humbly deſire, that your Lordſhips may be pleaſed (in time convenient, at the cloſe of this Conference) to report the difference of our judgment to the honourable Houſes, who upon better reaſons both may, and (we hope) will take their Vote into further conſideration: And ſo with reſervation of our judgement, that the diſpoſing of his Majeſties Perſon doth belong to both; and not to any one of the Kingdoms, eſpecially in ſuch a juncture of affaires, as both Kingdoms ſtand engaged in this cauſe; I ſhall deſcend particularly how the Kings Perſon ſhould be diſpoſed of to the beſt advantage of both Kingdomes, and for attaining ſuch a happy peace as all good men ſhould deſire. But leſt we ſhould walk in the dark upon obſcurity of ambiguous words, I ſhall deſire that the word of diſpoſing of the Kings Perſon may be rightly underſtood, and the true ſenſe of it may be cleerly known: For, *Dolus verſatur in univerſalibus.* For, *To diſpoſe of the Kings Perſon, as both Houſes, or both Kingdomes ſhall think fit,* may in ſome ſenſe be to depoſe, or worſe: But becauſe the word [*Diſpoſe*] may admit a more benigne interpretation, as when men commit their eſtates and children, or that which is deareſt to them to be diſpoſed of, (which is but to be adviſed) by theſe who have neareſt relation to them, and in whom they repoſe moſt truſt: I ſhall ſpeak of the diſpoſing of his Majeſties Royall perſon in that ſenſe, (which I hope) is alſo the ſenſe of the Houſes. Nor doe I know any other way how his Majeſties Perſon can be diſpoſed of, but that he be put either under reſtraint, or be at freedome with honour and ſafety. As for the way of reſtraint, I look upon it as it looks upon us, as a remedy more dangerous then the diſeaſe, and as a mean to draw the war of forain Kings upon us (eſpecially the Prince being in other Kingdoms) rather then to quiet our troubles at home. And therefore ſuppoſing that none of the Kingdomes will take any way concerning his Majeſties Perſon, but ſuch as may conſiſt with duty and honour, and which may leſſen, and not encreaſe our troubles, I ſhall lay aſide the way of reſtraint, and ſpeak of the way which may be with freedome, honour and ſafety, which can be no other, but that his Majeſty ſhall go into *Scotland*, or come to his Parliament here, or ſome of his houſes neer-abouts.

His going into *Scotland* is full of dangers and inconveniences to both Kingdomes: The *Amalekites* are not yet driven out of that Land. The bloudy barbarous *Iriſh*, banded with a wicked crew of Malignants, poſſeſſe the Mountains and highlands, which are the ſtrong holds, and never conquered parts of that Kingdome.

They have not laid down Arms, but keep in a body together, and they are so neere *Ireland*, as the Forces of the Rebels there may in two or three houres space come over and joyne with them: and (*Scotland*) not being able to keep and entertaine Armies long, the King being there, may raise such Forces in *Scotland*, as may make way quickly into *England*. And therefore his Majesties going into *Scotland* (before our peace be settled) being of most dangerous consequence to both Kingdomes, I shall humbly offer to your Lordships consideration his Majesties coming to *London*, or some of his houses here-abouts, as the most probable way to procure a speedy and happy agreement, which is also his Majesties own desire in his answer to the Propositions. And although no perswasion of ours could prevaile to procure a more satisfactory answer for the time, then what is returned to the Houses of Parliament, yet (I assure your Lordships) that the Committee of Estates of the Parliament of *Scotland*, and the Noblemen, who were at *Newcastle*, did faithfully contribute their best endeavours, that his Majesty might have given his assent to the Propositions: And, as wee did then deliver our minds with that plainnesse and freedome which was fit for faithfull and loyall Subjects, with no lesse regard to this Kingdome then our own Nation; so are we now (with the same candor and tendernesse of affection) willing and ready to concurre with the honourable Houses in every thing which may promote the great work of Reformation, and settle Religion according to the Covenant with a well grounded peace. And for these ends, we desire, that his Majesties answer may be improved to the best advantage of the publike.

For albeit the King hath not given a present assent to the Propositions, yet he hath not in his answer refused them; but doth promise, That hee will cheerfully grant and give his assent unto all such Bills (at the desire of the two Houses) and reasonable demands for *Scotland*, which shall be really for the good & peace of his people: To which end he desireth and proposeth, That he may come to *London* (or any of his houses there abouts) upon security, That he shall be there with honour, freedome and safety, as the best exped ent to procure a happy agreement between his Majesty and his Parliament, which we desire may be weighed in the ballance of righteous judgement, as a businesse of the greatest consequence which can fall within humane consideration, and wherein the glory of God is most concerned of any businesse under heaven. For upon a blessed agreement between the King and his Parliament, Religion and Righteousnesse, Truth and Peace, which are the compend and height of all happinesse, will be established to the eternall fame and glory of great Britaine, and the great comfort of all the Protestant Churches: And upon our disagreement, all the calamities of a bloudy and unnaturall war, will be continued, and nothing heard nor seen in Church nor State but confusion. God hath brought both Kingdomes thorow the surges and waves of a boisterous tempest, into the harbour of a peace, & hath scattered most part of our Enemies, & now our work is how to come a-shore, & establish a right peace. I hope, it is as far from our desires and intentions, as it is against our Covenant and Professions, to change fundamental government. We have need to take heed, that we run not from one extreme into another; *Dum stulti vitant vitia, in contraria currunt*: Therefore our study would be how to cure the wound which our sins and the evill counsells of others have made between the King and his Parliament, to make up the breach, and not make it wider.

It hath been universally acknowledged, That the Kings removall from his Parliament

liament, is the immediate and chiefe cauſe of all the war, miſchiefe, and calamities of the kingdomes: Then his Majeſties preſence in joyning with his Parliament muſt be the beſt, if not the onely remedy to remove our troubles, for it is a maxime no leſſe true then common, that *Contraries have contrary conſequents.*

Contrariorum contraria ſunt conſequentia.

The King deſires to come to his Parliament, not onely to have his doubts cleered, and have theſe difficulties explained which hinder his conſent to the Propoſitions as they now ſtand: But likewiſe that his coming may raiſe a mutuall confidence between him and his Parliament: If the laſt were done, the firſt would ſoon be performed, and all thoſe mountaines of difficulties would eaſily be removed, and become valleys.

Your Commiſſioners had no power to give any reaſons, no not ſo much as tell what is the meaning of any of your demands, nor hearken to any deſire of the Kings; And certainly ſome things might be juſtly moved by his Majeſty, which are neceſſary for the Crowne and a well grounded Peace, as, That he may have his Revenues, That he may returne with honour and ſafety to his Crowne and government; And if the King werewith his Parliament, where hee might both give and receive ſatisfaction, he might with reaſon be convinced, to aſſent to what hee now conceives to be unreaſonable.

The making of a peace, is ſo great and glorious a worke, and ſo acceptable to all good men, and to the whole people, that it would (after ſo great trouble) be like raine to the new mowne graſſe, or like a reſurrection from the dead, and is a worke worthy of a Kings preſence: And the King may without arrogancy deſire that glory to himſelfe, the more to reingratiate him to his people, and not devolve that honour wholly to any other, wherein he himſelfe ought to be the prime Actor. And therefore the Kings preſence with his Parliament is the moſt probable way to attaine to a ſpeedy and bleſſed peace, which certainly will be the more durable if it be with the good liking of both ſides.

I know there is one common objection (and I know not another) wherewith many are poſſeſt and prejudiced againſt the Kings coming to his Parliament, That his preſence may breed diviſion, and that he may thereafter withdraw and continue our troubles. *Unity* and *Concord* (I confeſſe) is that by which Kingdoms and Common-wealthes doe flouriſh, and there is nothing more dangerous then diviſion, *Concordia enim res parvæ creſcunt, diſcordia vero maximæ dilabuntur.* But is there any greater or more dangerout diviſion, then to have the Head divided from the Body? to have the King divided from his Parliament, the repreſentative body of the kingdome, whereof he is the Head? Hath not this diviſion divided brother againſt brother, the father againſt the ſon, and the ſon againſt the father, and Countrey againſt Countrey? This diviſion is the cauſe of all our other diviſions; Take this away and all our other diviſions are at an end. *Ablata cauſa tollitur effectus.* The King doth (with all earneſtneſſe) deſire to be joyned with you, and ſtands more in need of reconciliation, and I hope will (according to his profeſſion) endeavour it rather then diviſion; And (I truſt) the wiſdom of the honourable Houſes is ſuch as they will doe ſo too, and rather be reconciled to the King, then divide amongſt our ſelves. And that argument not to admit of the Kings coming to his Parliament, becauſe his preſence may breed diviſion, is an argument to debarre him perpetually from his Parliament. And now the caſe is altered from what it was, when it was thought unfit, that the King ſhould come to his Parliament, becauſe then he had forces in the fields, gariſons, and ſtrong holds to returne to:

Now he hath none of these against you, And his desire of coming to his Parliament, cannot be but with resolution to agree and stay with you, for if hee were once with you, where can he goe from you? And if they were esteemed enemies to the Parliament and the Peace of the kingdoms, who advised the King to withdraw from his Parliament, what estimation will the world have of them, who will not suffer him to returne to his Parliament, when he offers to cast himselfe in your armes? Nor can there be a more reall testimony of our respect and affection to *England*, then that we desire he may be with you, and be advised by you, neither can you have any greater honour, then that (after you have dissipated your Enemies) his Majesty is willing to returne to you: And if so kind an offer shall be refused, and the King driven to despaire, it is to be feared, these kingdomes will be involved in great difficulties then ever, and we shall be driven out of the harbour and entrance of a peace, into the tempest of new and bloudy wars.

For although *Scotland* be most willing and desirous that the King should return to his Parliament with honour, safety, and freedome, and that he may remaine where his personall presence may serve most for the security and happinesse of his people; yet if any such course shall be taken or any demand made for rendring of his Person, which cannot stand with his honour and safety, or which cannot consist with our duty, allegeance and Covenant, nor with the honour of that Army, to whom (in time of his extreme danger) he had his recourse for safety; it cannot be expected that we can be capable of so base an Act. And if (to shun this, and avoid occasion of quarrelling between the kingdomes) he shall goe to *Scotland*, and resent his expulsion out of *England*, and crave the assistance of that kingdome for recovery of his right to this Crowne; Hee may in a short time raise such Forces in *Scotland* and *Ireland*, as with the assistance of Foraine Princes, these kingdomes may be made a field of bloud, and the youngest amongst us not live to see the end of these unnaturall wars. But if the present opportunity be wisely managed, and that we maintaine the just priviledges of Parliament and liberty of the Subject in both kingdomes, with that wisdome and discretion, as that may be given to God which is Gods, and to *Cæsar* what is *Cæsars*, if we feare God and the King, and doe not meddle with them who are given to change, That same divine providence and wisdome which hath brought us through many difficulties, will also teach us how to establish these kingdomes in peace, and the Kings Throne in righteousnesse, That the great blessing of a constant and friendly conjunction of the two kingdomes (now united by allegeance and loyall subjection to one Soveraigne and Head) may be firmly observed and continued to all posterity.

The Lord Chancellour of *Scotland* his last Speech, At a Conference in the Painted Chamber with a Committee of both Houses, *October* 10. 1646.

My Lords and Gentlemen,

THis day I hope will bring our Conference to some results to be reported to the Houses, and therefore I shall frame my Discourse and Arguments with that succinctnesse as may bring us soonest to a close.

At our first meeting, the subject of our debate was, Whether the Right and Power of disposing the Person of the King is solely in the two Houses as they shall thinke fit, or in the two Kingdomes; and at our last meeting, we had some arguing about the same question, but

your

your Lordships did still assert the Vote of the Houses, and we say (in respect of the interest and relations which both Kingdomes have equally to the King, especially in the present juncture of affaires, when both Kingdomes are entred in the same League and Covenant, have jeoparded their lives in the same War, are labouring under the same danger, are seeking the same remedies, and stand in need of the same Peace and security; and both Kingdomes are bound by our Covenant to preserve unity, and are obliged by Treaty that none of us shall make any peace, cessation, or agreement whatsoever, without mutuall advice and consent of both) That the Person of the King cannot be disposed of without the joynt advice and consent of both Kingdomes. But as we doe acknowledge that England hath parity of interest with Scotland, so doe we still offer that they shall have parity of power in disposing of the King: and we doe assume, That the Person of the King, who is King of Scotland as well as of England, and is Head and Monarch of both Kingdomes, cannot be disposed of by any one of the Kingdomes alone: but what ever is to be done concerning the disposing of his Majesties Person, ought to be done by joynt advice and common consent of both, as may serve most for the Peace, security, and happinesse of the King and Kingdomes, which we did prove by severall Arguments: To which there was nothing answered in effect, but, That the King being within England, his Person was to be disposed of as the two Houses shall thinke fit, and that the King being with the Scottish Army, and they being paid by the Parliament of England, he is in effect in the power of the Houses, and ought to be at their disposing, in the same way as if he had come to the Army of Sir Thomas Fairfax, or any other of the Parliaments Armies. To which we shall not need to make any reply other then wee have made already, That the Kings present residence in England, nor no locality, can take away the reality of our relations formerly mentioned by us, farre lesse can it take away the engagements and stipulations betweene the Kingdomes; and though the Scottish Army be paid by the Parliament of England, yet they are the Army of Scotland, raised for pursuance of the ends of the Covenant, and are to be ordered and directed by the Parliaments or Committees of both Kingdomes: And therefore they cannot with conscience, duty, nor honour, deliver the person of the King without his owne consent, to be disposed of as the two Houses shall thinke fit: but we have declared and doe still declare, That we are content that the Person of the King be disposed of (the word Disposed being taken in a right sense) as may serve most for the Peace, safety, security, honour and happinesse of the King and both Kingdomes: and did offer to your Lordships consideration his Majesties coming to or neere London, as the most probable meanes to procure a speedy and well-grounded Peace. And seeing your Lordships have done us the honour to meet with us in this free and brotherly Conference, we doe expect that you will concurre and assent to this Proposition, or propound a better expedient for the good of both Kingdomes.

But if the honourable Houses will not admit of this Proposition, our next desire is (that it may appeare, no lawfull and possible meanes are left unassayed which may procure a happy agreement betwixt the King and his Parliaments, and for our further exoneration) That Commissioners may yet once more be sent from both Kingdomes to his Majesty, to shew the meaning of our Propositions and to assert them, and to heare the Kings doubts and difficulties, and desires, who may further intimate, that (if his Majesty shall not give a satisfactory answer to the Propositions) then both Kingdoms will without making any such further application to him, take such course as they shall judge fittest for the peace and security of the Kingdomes.

And as at the opening of this Conference I did begin with an humble, lawfull, and laudable desire for unity in relation to Religion, the King, and amongst our selves, so shall I close

close in the same dialect) for the first of Religion, if we doe remember our vowes to God to performe them, and shall endeavour really, constantly, and sincerely, the Reformation of Religion, and uniformity according to our Covenant, we may certainly expect that God will crowne this great worke, wherein he hath honoured us to be actors, with his blessing; but if in place of uniformity, which we are obliged to endeavour, there shall be a toleration of all Sects and sorts of Religion, and if we neglect to build the house of God, and become insolent upon our successes; although wee could mount up with Eagles wings, and build our nests as high as the starres, and had an army who for valour and strength could march to Constantinople, God shall lay our glory low in the dust, and suffer the work to fall in our hands, like the confusion of Babell: And what ever hath been moved by us concerning the King, wee desire it may be rightly constructed, as proceeding from such as have not wavered from their first principles; for when the King was in the height of his power, we did not, and (I hope) never shall flatter him; and when the enemy was in the height of their pride and strength, Scotland did feare no colours: and now when the King is at his lowest ebb, and hath cast himselfe into our Army for safety, we hope your Lordships will pardon us from our sense of honour and duty to be very tender of the person, and posterity of the King, to whom wee have so many neer relations, and not like the worse of us: that wee cannot so farre forget our allegeance and duty as not to have an antipathy against the change of Monarchicall government, in which wee have lived through the descent of so many kings, and under which both kingdomes have been governed so many ages, and flourished in all happinesse. And now my last word shall be for constant unity between the kingdomes, which as it hath been the chiefe meanes to promote the great work wherein both kingdomes are so deeply engaged, so there is nothing can make us so formidable to our enemies, nor so much aiding one to another, as the ch. ishing and continuing thereof; and I dare say that no man would divide the one from the other, but such as desire to fish in troubled waters, and are reall enemies to both. God hath blest the joynt endeavours of both Nations, both are in one ship, and are come through a very great storme, and now when we are come into the harbour, it would be great shame to both to split upon the rocks of division (& devorato bove deficere in cauda) and your Lordships may be confident that Scotland who have esteemed no hazzard too great, for settling of Religion and love to their Brethren, will stick so fast and firmly to you, (so long as you hold the principles of your Covenant) as no feare nor favour will ever be able to divide them from you, and wee doe expect that reciprocall amity which may perpetuate our unity.

The Lord Chancellour of *Scotland* his Speech, to the Kings Majestie at NEW-CASTLE.

YOur Majestie was pleased on Monday last, to call the Lords of your privy Counsell of Scotland, and the Committee to acquaint them with the Propositions, and told, That before the delivery of your answer, you would make the same knowne to them. The time assigned for the stay of the Commissioners is so short, and the consequence of your Majesties answer is of so great importance, either for the preservation or ruine of your Crown and Kingdomes, as we could not be answerable to God, nor to that trust reposed in us, unlesse we represent to your Majesty how necessary it is (as the condition of affaires now stand, and in so great an extremity) that your Majesty should assent to the Propositions, and that the danger and losse of your refusall will be remediles, and bring on sudden ruine and destruction.

I

I ſhall begin firſt with the laſt, which is the danger; and ſhall next ſpeak a word of the
ſtudy. The differences between your Majeſty and your Parliament (which no man knowes
better then your Majeſties ſelfe) are growne to ſuch a height, that after many bloudy battels
there is no cure but a preſent peace, otherwiſe nothing can be expected but certain deſtructi-
on. The Parliament is poſſeſt of your Navie, and of all the Forts, Gariſons, and ſtrong holds
of the Kingdome: They have the Exciſe, Aſſeſſements, and Sequeſtrations at ther diſpoſall
and have authority to raiſe all the men and money in the Kingdome, and (after many victo-
ries and great ſucceſſes) they have a ſtrong Army on foot, and are now in ſuch a poſture for
ſtrength and power, as they are in a capacity to doe what they will both in Church and
State: And ſome are ſo afraid, others ſo unwilling to ſubmit themſelves to your Majeſties
government, as they deſire not you, nor any of your race longer to raigne over them. Yet the
people are ſo wearied of the wars, and great burthens they groane under, are ſo deſirous of
peace, and loth to have Monarchicall government (under which they have lived ſo lonz in
ease and plenty) changed, that ſuch as are unwearied of your Majeſties government, dare
not attempt to caſt it totally off, till once they ſend Propoſitions of Peace to your Majeſty,
which the people (without whoſe concurrence they are not able to carry on their deſigne) ſhould
recall from them. And therefore all the people being deſirous, that (after ſo great wars and
troubles) they may have a perfect ſecurity from oppreſſion and arbitrary power, The Houſes
of Parliament have reſolved upon the Propoſitions, which are tendred to your Majeſty, as
that without which the Kingdome and your people cannot be in ſafety; and moſt part of
the people think, that there cannot be a ſure peace upon any other termes.

Your Majeſties friends, and the Commiſſioners from Scotland (after all the wreſtling
they could) were forced to conſent to the ſending of thoſe Propoſitions, or to be hated as the
deſerters of peace, and to ſend no Propoſitions at all. And now, Sir, if your Majeſty
(which God forbid) ſhall refuſe to aſſent to the Propoſitions, you will loſe all your friends,
for the City and all the Country, and all England will joyne againſt you as one man, and
when all hope of reconciliation is paſt) it is to be feared, they will proceſſe and depoſe you,
and ſet up another government, they will charge us to deliver your Majeſty to them, and to
order the Northren Gariſons, and to remove our Army out of England, and upon your
Majeſties refuſing the Propoſitions, both Kingdomes will be conſtrained (for their mutuall
ſafety) to agree and ſettle Religion and Peace without you, which (to our unſpeakable griefe)
will ruine your Majeſty and your Poſterity. And if your Majeſty reject our faithfull ad-
vice (who deſire nothing on earth more, then the eſtabliſhment of your Majeſties Throne)
and loſe England by your wilfulneſſe, your Majeſty will not be permitted to come and
raigne Scotland.

Sir, we have laid our hand upon our hearts, we have asked counſell and direction from
God, and have had our moſt ſerious thoughts about the remedy, but can find no other (as
affaires ſtand for the preſent) to ſave your Crowne and Kingdomes, then your Majeſties aſ-
ſenting to the Propoſitions. We dare not ſay, but they are higher in ſome things (if it were
in our power and option to remedy it) then we doe approve of: But when we ſee no other
meanes for curing the diſtempers of the Kingdomes, and cloſing the breaches between your
Majeſty and your Parliaments, our moſt humble and faithfull advice is, That your Majeſty
would be graciouſly pleaſed to aſſent to them, as the only beſt way to procure a ſpeedy and
happy peace; becauſe your Majeſty ſhall thereby have many great advantages: You will be
ſerved againe in your Parliament, with the applauſe and acclamations of your people: By
your Royall preſence your friends will be ſtrengthned, your enemies (who feare nothing ſo
much as the granting of the Propoſitions) will be weakned: Your Majeſty will have a fit

opportunity

opportunity to offer such Propositions, as you shall in your wisdome judge fit for the C
and Kingdome. All Armies will be disbanded, and your people, finding the sweet
of your peaceable government, your Majesty will gaine their hearts and affections,
will be your strength and glory, and will recover all that your Majestie hath lost in this
of tempest and trouble. And if it please God so to encline your Royall heart to this
vice of your humble and faithfull servants, who (next to the honour of God) esteem
thing more precious then the safety of your Person and Crowne. Our actions shall
make it appeare to all the world, That we esteem no hazzard too great for your Majes
safety, and that we are willing to sacrifice our lives and fortunes for establishing of
Throne. And now, Sir, we prostrate our selves at your Majesties feet, and in the lo
posture of humility doe beg, That your Majestie may (in end) grant the suit of your
humble Servants and faithfull Subjects, who have no private aimes, but only the glo
God, and safety of your Majesties Person, Posterity, and Crowne before our eyes. And
granting of our desires will revive our fainting spirits: refresh our sad hearts, which
overwhelmed and like to break with sorrow, and will turne the prayers and teares
the many thousands of your people, in praises to God, and make them embrace your Ma
with acclamations of joy.

FINIS.